

Senate Resolution 961

By: Senator Schaefer of the 50th

**ADOPTED SENATE**

**A RESOLUTION**

1 Urging the United States Congress to enact S. 520 and H.R. 1070; and for other purposes.

2 WHEREAS, on June 27, 2005, the U. S. Supreme Court, in two razor-thin majorities of 5-4,  
3 concluded that it is consistent with the First Amendment to display the Ten Commandments  
4 in an outdoor public square in Texas, but not on the courthouse walls of two counties in  
5 Kentucky; and

6 WHEREAS, many American people are deeply puzzled as to how the Court could produce  
7 two opposite results involving the same Ten Commandments; and

8 WHEREAS, it is appropriate to observe that based on the Kentucky decision it is acceptable  
9 to display the Ten Commandments in a county courthouse provided one does not believe in  
10 God; and

11 WHEREAS, Justice Scalia in the Kentucky case used these words to emphasize the  
12 importance of the Ten Commandments to most Americans:

13 "The three most popular religions in the United States, Christianity, Judaism, and  
14 Islam-which combined account for 97.7% of all believers-are monotheistic. See U. S.  
15 Dept. of Commerce, Bureau of Census, Statistical Abstract of the United States:  
16 2004-2005, p. 55 (124th ed. 2004) (Table No. 67) All of them, moreover (Islam included),  
17 believe that the Ten Commandments were given by God to Moses, and are divine  
18 prescriptions for a virtuous life"; and

19 WHEREAS, recent polling data by a major Washington, D.C., paper revealed that a majority  
20 of the American people support posting the Ten Commandments:

21 "Seventy percent of Americans would have no objection to posting the Ten  
22 Commandments in government buildings, and eighty-five percent would approve if the  
23 Commandments are included as 'one document among many historical documents' when

1 displayed in public buildings, according to a survey conducted for the First Amendment  
2 Center"; and

3 WHEREAS, S. 520 and H.R. 1070 are federal bills which, if enacted, will allow the display  
4 of the Ten Commandments in public places in America and provide as follows:

5 'Notwithstanding any other provision of this chapter, the Supreme Court shall not have  
6 jurisdiction to review, by appeal, writ of certiorari, or otherwise, any matter to the extent  
7 that relief is sought against an entity of Federal, State, or local government (whether or not  
8 acting in official or personal capacity), concerning that entity's, officer's, or agent's  
9 acknowledgment of God as the sovereign source of law, liberty, or government'; and

10 WHEREAS, hearings were held on the same language in June, 2004, in the Constitution,  
11 Civil Rights and Property Rights Subcommittee of the Senate Judiciary Committee and in  
12 September, 2004, in the Courts Subcommittee of the House Judiciary Committee; and

13 WHEREAS, the late Chief Justice Rehnquist in the Texas case used these words to describe  
14 the obvious duplicity of the U.S. Supreme Court in telling local governments in America that  
15 the Ten Commandments may not be displayed in local buildings in their communities while  
16 at the same time allowing these same Ten Commandments to be present on the building  
17 housing the U. S. Supreme Court:

18 "Since 1935, Moses has stood, holding two tablets that reveal portions of the Ten  
19 Commandments written in Hebrew, among other lawgivers in the south frieze.  
20 Representations of the Ten Commandments adorn the metal gates lining the north and  
21 south sides of the Courtroom as well as the doors leading into the Courtroom. Moses also  
22 sits on the exterior east façade of the building holding the Ten Commandments tablets";  
23 and

24 WHEREAS, the Kentucky decision will be used by litigants who want to remove God from  
25 the public square in America, as evidenced by efforts in at least 25 different places in  
26 America to require the removal of the Ten Commandments from public buildings or public  
27 parks.

28 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE that this body urges the  
29 United States Congress to enact S. 520 and H.R. 1070 and in so doing protect the ability of  
30 the people of our state to:

31 (1) Display the Ten Commandments in public buildings and places in this state;

- 1     (2) Express one's faith in public;
- 2     (3) Retain God in the Pledge of Allegiance;
- 3     (4) Retain "In God We Trust" as our national motto; and
- 4     (5) Utilize Article 3, Section 2 of the U. S. Constitution to except these areas from the
- 5     jurisdiction of the U. S. Supreme Court.

6   BE IT FURTHER RESOLVED that the Secretary of the Senate is authorized and directed  
7   to transmit appropriate copies of this resolution to each member of the Georgia  
8   Congressional delegation.